

### **REMARKS**

Claims 1-19 are all the claims pending in the application. Claims 3 and 5-14 have been withdrawn from consideration by the Examiner. New claims 16-19 have been added. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

#### **Claim Rejections - 35 U.S.C. § 112**

The Examiner rejected claims 1, 2, and 15, under §112, 2<sup>nd</sup> paragraph, as indefinite. Specifically, the Examiner asserts that “loaded raceway” is unclear. In order to overcome this rejection, Applicant has amended this phrase to eliminate “loaded”. This amendment has also been made to the other claims to maintain consistency.

#### **Claim Rejections - 35 U.S.C. § 102**

The Examiner rejected claims 1, 2, 4, and 15, under §102(b) as being anticipated by US Patent 3,170,336 to Bohnhoff (hereinafter Bohnhoff). Applicant respectfully asserts that the claims are distinguishable over Bohnhoff at least because this reference fails to disclose all the elements as now set forth therein.

First, Bohnhoff discloses a side cap 16 having two ball circulation passages, wherein the following problem occurs. Namely, when the ball is rolled in the raceway or the ball circulation passage due to foreign substances etc., the ball pushes up the side cap and a crack may be generated in the side cap 16 from around the bolt 18. Therefore, the side cap will be broken and fall from the nut 12. In such a case, because the other ball circulation passage is formed on the same side cap 16, the other ball circulation passage does not work, even though the balls can roll in the other ball circulation passage. That is, when one ball circulation passage is blocked, the other ball circulation passage also loses its function.

In contrast to that set forth in Bohnhoff, the claimed structure sets forth one circulation passage for one side cap and, therefore, the above-noted problem does not occur.

Second, claims 1 and 2 independently set forth that the side cap is divided into two members along the ball circulation passage. In contrast to that set forth in claims 1 and 2, Bohnhoff discloses a side cap 16 have a one-piece construction.

Third, claim 2 sets forth that the nut comprises an axial end face, and a cylindrical outer circumferential surface extending perpendicular to the axial end face. Further, claim 2 sets forth that the side cap is disposed on that cylindrical outer circumferential surface. In contrast to that set forth in claim 2, Bohnhoff discloses a cap 16 mounted on the axial end face of the nut. Because claim 2 sets forth both an axial end face and a cylindrical outer circumferential surface, the Examiner's previous interpretation of Bohnhoff's axial end surface as the outer circumferential surface is now not appropriate.

Fourth, claim 15 sets forth at least one side cap including a ball circulation passage substantially extending in a longitudinal direction of the screw shaft. In contrast to that set forth in claim 15, Bohnhoff discloses ball circulation passages 22a, 22b that extend in a direction perpendicular to the longitudinal direction of the screw shaft.

For at least any of the above reasons, Bohnhoff fails to anticipate each one of independent claims 1, 2, and 15. Likewise, this reference fails to anticipate dependent claim 4.

### **New Claims**

New claims 16-19 have been added. Claims 16-19 depend from either claim 1 or from claim 15 and, therefore, are allowable at least by virtue of their dependency. Further, claims 18 and 19 define the nut as having an axial end face and a cylindrical outer circumferential surface, wherein the side cap is mounted to the cylindrical outer circumferential surface. As note above, in contrast to the claimed arrangement, Bohnhoff discloses a cap 16 mounted on the axial end surface of the nut.

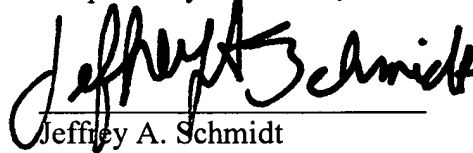
### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey A. Schmidt", is written over a horizontal line.

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